

MINNESOTA BOARD OF PHARMACY

SEVEN HUNDRED AND THIRTY-SIXTH MEETING

At approximately 8:30 a.m., March 7, 2001, the Minnesota Board of Pharmacy met in Conference Room A, at the University Park Plaza, 2829 University Avenue SE, Minneapolis, Minnesota, for the purpose of conducting a general business meeting. All members of the Board were in attendance. Also in attendance was the Board's Executive Director, Mr. David Holmstrom.

After reviewing, amending and approving the agenda for this meeting, the Board addressed the minutes of the meeting of January 9, 2001. After making a minor correction to the minutes on page 3, Ms. Jean Lemberg moved and Ms. Carol Peterson seconded that the minutes be approved as amended. The motion passed.

The Board next turned its attention to applications to conduct new pharmacies, which it has received since its last meeting. The first such application was submitted on behalf of Alliance Clinic, 3329 University Avenue SE, in Minneapolis, Minnesota, by Ms. Kathleen Wickstrom, Director. Alliance Clinic is a Methadone treatment program and does not yet have a pharmacist-in-charge identified. After carefully reviewing this application and a diagram of the proposed pharmacy area, Ms. Betty Johnson moved and Mr. Vern Kassekert seconded that the application be approved and a license issued subject to the naming of a permanent pharmacist-in-charge for the pharmacy and subject also to the successful completion of an on-site inspection by a member of the Board's staff to assure compliance with pharmacy Board rules dealing with licensure. The motion passed.

Mr. Holmstrom next presented to the Board a list of continuing education programs submitted to and reviewed by the Continuing Education Advisory Task Force between the dates of November 14, 2000 and January 16, 2001, and between January 16, 2001 and February 13, 2001. After reviewing the list of programs submitted to and reviewed by the Continuing Education Advisory Task Force, Ms. Betty Johnson moved and Mr. Tom Dickson seconded that those programs recommended for approval be so approved, and that those programs for which denial of approval was recommended be denied. The motion passed.

The Board next turned its attention to the performance of candidates for licensure by examination that have completed all parts of the January 2001 Board Examination. For Full Board Examination candidates the Board determined that, in grading the examination, the NAPLEX portion of the exam would be weighted at 65% of the total, the Board's Practical Examination at 20% of the total, and the Multistate Pharmacy Jurisprudence Examination weighted at 15% of the total, and that the minimum passing score on each of those parts, as well as the minimum overall score, would be 75. With the passing level thus established, Mr. Vern Kassekert moved and Ms. Carol Peterson seconded that the following candidates be granted licensure as pharmacists:

<u>NAME</u>	<u>CERTIFICATE #</u>	<u>REGISTRATION #</u>
Sara Jean Olson	7748	117159-8
Kiersten M. Miller	7749	117160-8
Kimberly R. Patterson	7759	117172-1

<u>NAME</u>	<u>CERTIFICATE #</u>	<u>REGISTRATION #</u>
Chris McDonough	7764	117177-6
James Eugene Gannon	7765	117178-9
Christine Lyn Bottema	7767	117180-2
Slade A. Siverson	7769	117161-1
Christopher Maslanka	7770	117182-8
Nora Y. Yang	7772	117165-3

The Board next addressed itself to the performance of candidates for licensure by reciprocity who have taken the Multistate Pharmacy Jurisprudence Examination for Minnesota since the Board's last meeting. After a thorough review of the performance of the candidates for licensure by reciprocity, Mr. Vern Kassekert moved and Ms. Carol Peterson seconded that, having passed the Multistate Pharmacy Jurisprudence Examination required of candidates for licensure by reciprocity, the following candidates be granted such licensure based on their current license to practice in the state listed with their name:

<u>CERTIFICATE #</u>	<u>NAME</u>	<u>STATE OF ORIGINAL LICENSURE</u>
7746	Teresa Kay Paulson	IA
7747	Joselyn Arciaga Raymundo	WA
7750	Beth Anne MacWhorter	IN
7751	Kevin Jerry Shryack	WY
7752	Michael Ellery Dudzik	ME
7753	Joann Lee Bohse	WI
7754	Michelle Renae Frey	ND
7755	Kristin Marie Hoffman	NE
7756	Cheryl A. Ramsey	IA
7757	Brock Richard Knez	WI
7758	Tammy Marie Richards	ND
7760	Peter Charles Iverslie	AK
7761	Jay Harold Fulce	TX
7762	Richard Francis Forbes	PA
7763	Kenneth Joseph Kossack	PA
7766	Doan Thanh Chau	NE
7768	Lisa Ann Marek	IN

The motion passed.

Mr. Holmstrom next presented to the Board a request from Board candidate Basma Abd El-Rahman that the Board regrade the Practical portion of her examination. The Board agreed to regrade the entire Practical Examination of this candidate. After regrading, the candidate's score remained the same.

The Board next turned its attention to the review of variance requests that have been submitted to the Board. The Board first addressed itself to new variance requests that were getting their first reading. The first variance request to be considered by the Board was submitted on behalf of Fairview Mesaba Pharmacy, by Mr. Jeff Shapiro, Pharmacist-in-charge. Mr. Shapiro is requesting a variance that would allow his pharmacy to prepare starter packs of various medications for dispensing by physicians at the Fairview Mesaba Clinic during hours when the pharmacy is not open. In keeping with its established policy of requiring two readings for all variance requests, the Board took this request under consideration and will give it the second reading at the Board's meeting of April 25, 2001.

The next request for a variance to receive its first reading was submitted on behalf of Range Drug, in Crosby, Minnesota, by Mr. John Mateyka, Pharmacist-in-charge. Mr. Mateyka is requesting a variance from the current technician-to-pharmacist ratio. In keeping with its established policy of requiring two readings for all variance requests, the Board took this request under consideration and will give it the second reading at the Board's meeting of April 25, 2001. In the meantime, the Board directed Mr. Holmstrom to attempt to obtain additional information from Mr. Mateyka regarding the technician use issue.

The next request for a variance to be considered by the Board was submitted on behalf of Rx Express Pharmacy, by Mr. Larry Lindberg, Pharmacist-in-charge. Mr. Lindberg is also requesting a variance that would allow increased use of pharmacy technicians beyond the established ratio. In keeping with its established policy of requiring two readings for all variance requests, the Board took this request under consideration and will give it the second reading at the Board's meeting of April 25, 2001. In the meantime, the Board directed Mr. Holmstrom to attempt to obtain additional information from Mr. Lindberg and to suggest to Mr. Lindberg that he assist one or more of his technicians in becoming certified, so that his pharmacy would qualify for a three-technician to one-pharmacist ratio.

The next request for a variance to be considered by the Board was submitted on behalf of Target Pharmacies, by Mr. Victor Antilley, Pharmacy Group Leader. Mr. Antilley is requesting a variance that would delay the effective date of a Board rule requiring patient counseling areas that offer an assurance of privacy for three Target pharmacies. Mr. Antilley indicates that the Target pharmacies in Duluth, Shoreview, and Woodbury are all undergoing full remodeling in 2001, and is requesting that the implementation of the "assurance of privacy" standard be delayed until these stores are remodeled. Ms. Betty Johnson then moved and Mr. Vern Kassekert seconded that the Board suspend its established policy of requiring two readings for variance requests and act on this request immediately. That motion passed. Mr. Vern Kassekert then moved and Ms. Carol Peterson seconded that the variance requested by Mr. Antilley for the Target pharmacies in Duluth, Shoreview, and Woodbury, be approved. The motion passed.

The next request for a variance to be considered by the Board was submitted on behalf of Columbia Park Medical Group Pharmacy, by Mr. Al Brosseau, Pharmacist-in-charge. Mr. Brosseau is requesting a variance that would allow his pharmacy to prepare pre-packaged medications for physician dispensing during hours the pharmacy is not open. Ms. Betty Johnson then moved and Mr. Vern Kassekert seconded that the Board suspend its established policy of requiring two readings for all variance requests and act on Mr. Brosseau's request at this time. The motion passed. Mr. Vern Kassekert then moved and Ms. Betty Johnson seconded that the variance

requested by Mr. Brosseau be approved for a one-year period of time, on condition that Mr. Brosseau include in his policies and procedures a statement indicating that the pharmacist will attempt to contact each patient receiving medications from the physician in order to answer any questions regarding the use of the medication by the patient. The motion passed.

The next request for a variance to be considered by the Board was submitted on behalf of Fairview Pharmacy Services, by Mr. Bill Schommer, Regional Manager. Mr. Schommer is requesting a variance that would allow Fairview Pharmacies to install a remote dispensing/telepharmacy system at the Fairview Staub Pediatric Clinic once testing of the system is completed. Ms. Carol Peterson then moved and Mr. Charles Cooper seconded that the Board suspend its established policy of requiring two readings for each variance request and act on this request immediately. The motion passed. Mr. Charles Cooper then moved and Ms. Betty Johnson seconded that the variance requested by Mr. Schommer be approved for a one-year period of time and that Mr. Schommer be requested to report back in six months regarding the relative successes and failures of the system. The motion passed.

The next request for a variance to be considered by the Board was submitted on behalf of Hennepin County Medical Center Pharmacy Department, by Mr. Douglas Darling, Pharmacist-in-charge of Ambulatory Pharmacy Services. Mr. Darling is requesting a variance that would allow Hennepin County Medical Center to locate an ATC 212 dispensing machine at the new Hennepin County Jail in order to more efficiently provide medications to individuals being detained at that facility. Mr. Vern Kassekert then moved and Ms. Betty Johnson seconded that the Board suspend its established policy of requiring two readings for variance requests and act on this request immediately. The motion passed. Ms. Betty Johnson then moved and Ms. Carol Peterson seconded that the variance be approved for a one-year period of time after the implementation date and that Mr. Darling be requested to report back to the Board six months after startup to advise the Board on the relative successes and failures of the system. The motion passed with Mr. Charles Cooper abstaining.

The Board next turned its attention to requests for extensions of previously granted variances that it has received since the last meeting.

The first such request was submitted on behalf of Ott Drug, in Deer River, Minnesota, by Mr. Robert Ott, Pharmacist-in-charge. Mr. Ott is requesting an extension of a previously granted variance that allows Ott Drug to provide a starter medication supply to the Duluth Clinic facility in Remer, Minnesota, for dispensing by physicians at that facility. Ms. Betty Johnson then moved and Mr. Vern Kassekert seconded that the Board suspend its established policy of requiring two readings of all variance requests and act on this request immediately. The motion passed. Ms. Betty Johnson then moved and Mr. Vern Kassekert seconded that the Board approve Mr. Ott's request for an additional one-year period of time on condition that pharmacists at Ott Drug call patients receiving medication from the clinic in Remer in order to conduct outpatient counseling. The motion passed.

The next request for an extension of a previously granted variance was submitted on behalf of Coborns Pharmacy, in Sauk Centre, Minnesota, by Mr. Dennis Heinen, Pharmacist-in-charge. Mr. Heinen is requesting an extension of a previously granted variance that allows Coborns Pharmacy to establish an emergency medication box for the St. Michael's Hospice

program. In keeping with its established policy of requiring two readings for all variance requests, the Board took this request under consideration and will give it the second reading at the Board's meeting of April 25, 2001.

The next request for an extension of a previously granted variance receiving its first reading was submitted on behalf of Omnicare Pharmacy, in Minneapolis, Minnesota, by Ms. Jill Lowthorp-Hutchinson, Pharmacist-in-charge. Ms. Lowthorp-Hutchinson is requesting an extension of a previously granted variance allowing Omnicare to establish emergency kits at the Detox Centers serviced by Omnicare. In keeping with its established policy of requiring two readings for all variance requests, the Board took this request under consideration and will give it the second reading at the Board's meeting of April 25, 2001.

The next request for an extension of a previously granted variance was submitted on behalf of Syncor Pharmacy, in St. Paul, Minnesota, by Ms. Christie Hawkins-Rath, Pharmacist-in-charge. Ms. Hawkins-Rath is requesting an extension of a previously granted variance, which allows Syncor Pharmacy to dispense certain non-therapeutic (diagnostic) radioactive medications without placing patient names on each container. In keeping with its established policy of requiring two readings for all variance requests, the Board took this request under consideration and will give it the second reading at the Board's meeting of April 25, 2001.

The Board next turned its attention to variance requests receiving their second readings. The first variance request receiving its second reading was submitted on behalf of Rochester Methodist Hospital and St. Marys Hospital Pharmacy, in Rochester, by Mr. Kevin Dillon, Director of Mayo Hospital Pharmacy Services. Mr. Dillon is requesting authorization for Rochester Methodist Hospital Pharmacy and St. Marys Hospital Pharmacy in Rochester to utilize two pharmacy technicians to process and destroy controlled substance waste returned from the anesthesia department. After again considering this request, Mr. Tom Dickson moved and Ms. Betty Johnson seconded that the request be granted for a six-month period of time. The motion passed.

The next request for a variance receiving its second reading was submitted on behalf of Omnicare Pharmacy, in Minneapolis, by Ms. Jill Lowthorp-Hutchinson, Pharmacist-in-charge. Ms. Lowthorp-Hutchinson is requesting a variance, which would allow Omnicare Pharmacy to provide an emergency stock of medications to the Twin Town Treatment Center in St. Paul. Mr. Vern Kassekert then moved and Ms. Betty Johnson seconded that the variance requested by Ms. Lowthorp-Hutchinson be approved for a one-year period of time. The motion passed.

The next request for a variance receiving its second reading was also submitted on behalf of Omnicare Pharmacy, in Minneapolis, by Ms. Jill Lowthorp-Hutchinson, Pharmacist-in-charge. In this request, Ms. Lowthorp-Hutchinson is requesting a variance that would allow Omnicare Pharmacy to accept returns from assisted-living facilities following the same guidelines that are in place for skilled-nursing facilities. Ms. Betty Johnson then moved and Mr. Vern Kassekert seconded that this variance be approved for a one-year period of time. The motion passed.

The Board next turned its attention to extensions of previously granted variances receiving their second reading.

The first such variance request was submitted on behalf of Hendrix Health Center Pharmacy, at Moorhead State University, by Ms. Mary Stende, Pharmacist-in-charge. Ms. Stende is requesting an extension of a previously granted variance relating to the size of the pharmacy and, at the same time, is requesting a new variance relating to the requirement of having a prescription balance and weights in the pharmacy. Mr. Vern Kassekert then moved and Mr. Tom Dickson seconded that both of these variances be approved on a permanent basis. The motion passed.

The final request for a variance to be considered by the Board was a request for an extension of a previously granted variance submitted on behalf of Target Pharmacy, in Edina, Minnesota, by Ms. Miki Finnin, Pharmacist-in-charge. Ms. Finnin is requesting an extension of a previously granted variance relating to the checking of the original container from which medication is withdrawn during the prescription-filling operation. After reviewing the additional information provided by Ms. Finnin, since the first reading of this variance request, Ms. Betty Johnson moved and Mr. Vern Kassekert seconded that the variance be extended for an additional one-year period of time. The motion passed.

Mr. Holmstrom next presented to the Board a letter he received from Mr. Mohamed Aw-Dahir, who is a Canadian pharmacist seeking licensure in Minnesota. Mr. Aw-Dahir is requesting that the Board recognize his previous work as an intern and a pharmacist in Canada in lieu of the Board's internship requirements. After reviewing the information submitted by Mr. Aw-Dahir, the Board determined that it could not make a decision based on the lack of information available and directed Mr. Holmstrom to contact Mr. Aw-Dahir and request additional information.

Mr. Holmstrom next presented to the Board documents from Mr. Chris Filopoulos, who is also a Canadian pharmacist seeking licensure in Minnesota. Mr. Filopoulos is also requesting that the Board recognize his previous experience as a pharmacist intern and a pharmacist in Canada in lieu of the Board's 1500-hour internship requirement. After reviewing the information submitted by Mr. Filopoulos, Mr. Vern Kassekert moved and Ms. Carol Peterson seconded that the Board accept Mr. Filopoulos' previous experience in Canada as meeting the entire 1500-hour internship requirement. The motion passed.

Mr. Holmstrom next presented to the Board documents from Ms. Beverly Seymour, who is also a Canadian pharmacist seeking licensure in Minnesota. Ms. Seymour is also requesting that the Board recognize her previous experience as a pharmacist intern and a pharmacist in Canada in lieu of the Board's 1500-hour internship requirement. After reviewing the information submitted by Ms. Seymour, Ms. Betty Johnson moved and Mr. Vern Kassekert seconded that the Board accept Ms. Seymour's previous experience in Canada as meeting the entire 1500-hour internship requirement. The motion passed.

Mr. Holmstrom next presented to the Board documents from Mr. Yaw Ntiamoah, who is also a Canadian pharmacist seeking licensure in Minnesota. Mr. Ntiamoah is also requesting that the Board recognize his previous experience as a pharmacist intern and a pharmacist in Canada in lieu of the Board's 1500-hour internship requirement. After reviewing the information submitted by Mr. Ntiamoah, Mr. Vern Kassekert moved and Mr. Tom Dickson seconded that the Board accept Mr. Ntiamoah's previous experience in Canada as meeting the entire 1500-hour internship requirement. The motion passed.

Mr. Holmstrom next presented to the Board a letter from Mr. Michael Forbrook, a pharmacist from South Dakota. Mr. Forbrook is seeking to obtain licensure in Minnesota by reciprocity, but will not have been licensed for one full year until June of 2001; and, thus, would not be eligible to reciprocate under the Board's current rules until that time. Mr. Forbrook is requesting the Board's approval to begin the reciprocity process immediately. After considering Mr. Forbrook's request, Ms. Carol Peterson moved and Mr. Tom Dickson seconded that the Board accept Mr. Forbrook's reciprocity application prior to his completion of one full year of licensure as a pharmacist in South Dakota. The motion passed.

Mr. Holmstrom next briefed the Board on various pieces of legislation making their way through the Minnesota legislative process.

The Board next established a meeting time for the next meeting of the Rules and Legislation Committee, wherein it will work on developing language for rule sections previously identified as needing updating. The Rules Committee will meet on Wednesday, April 25th, beginning at 1:30 p.m., which is immediately at the conclusion of the April 25th Board meeting. The Board meeting on April 25th will, in turn, begin at 8:00 a.m.

The Board next addressed the need to identify an official delegate and alternate delegate to act on behalf of the Board at the Annual Meeting of the National Association of Boards of Pharmacy scheduled for May 5th through 9th. After a brief discussion, Mr. Carl Benson was identified as the Board's official delegate and Ms. Jean Lemberg was identified as the Board's official alternate.

At this time, Mr. John Choi, Mr. K. S. Reagan, and Mr. Larry Gever, representing Carter Wallace Laboratories, appeared before the Board to discuss legislative activity relating to the removal of the drug Carisoprodol from the state's list of controlled substances. The Minnesota Legislature made Carisoprodol a Schedule IV controlled substance in 1997, but appended an extended implementation date to the legislation in anticipation of action being taken at the federal level by DEA to make Carisoprodol a controlled substance at the federal level. Each year, as the effective date of the scheduling of Carisoprodol at the state level approached and no action was evident at the federal level, the implementation date of the state scheduling was pushed back. At a recent legislative hearing regarding this issue, State Senator Randy Kelly indicated his desire to simply remove Carisoprodol from the list of controlled substances at the state level and, if DEA ever does schedule it at the federal level the state can go back and again make it a controlled substance at the state level as well. Messrs. Choi, Reagan, and Gever are now seeking the Board's support of removal of Carisoprodol from the list of state controlled substances. After hearing from the Carter Wallace representatives, Ms. Betty Johnson moved and Ms. Jean Lemberg seconded that the Board support either the original version of the

proposed legislation for this legislative session or the legislation proposed by Senator Kelly regarding Carisoprodol. The motion passed.

Ms. Jean Lemberg then led a discussion of whether it is desirable to have one of the Board inspectors attend each Board meeting to provide the Board with a different perspective on some of the issues that come before it; in particular, variance requests. After discussing the issue, the Board suggested that Mr. Holmstrom meet with the Board inspectors to develop a process whereby one inspector would be identified to attend each Board meeting to provide staff support and input when requested.

There being no further business to come before the Board at this time, President Benson adjourned the meeting at approximately 2:15 p.m.

PRESIDENT

EXECUTIVE DIRECTOR